

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:10-CR-075
)	
ERIC A. WILSON)	

MEMORANDUM AND ORDER

This criminal case is before the court on the defendant's motion for a continuance of his November 22, 2010 trial date [doc. 16]. In support of his motion, defendant states that despite the exercise of due diligence he and his attorney need additional time for plea negotiation and effective trial preparation. The government objects to the motion. Despite "acknowledg[ing] defense counsel's reasonable diligence in this case and that plea negotiations continue," the government argues that the public's interest in speedy trials outweighs the instant defendant's stated rationale.

The court finds the motion well taken, and it will be granted. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). In light of the reasoning set forth by the defendant, the court finds that the failure to grant his motion would deny defense counsel the reasonable time necessary for effective trial preparation. 18 U.S.C. § 3161(h)(7)(B)(iv). The defendant's motion requires a delay in the proceedings. Therefore,

all the time from the filing of the defendant's motion to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A).

It is hereby **ORDERED** that the defendant's motion [doc. 14] is **GRANTED**, and this criminal case is **CONTINUED** to Tuesday, **February 15, 2011, at 9:00 a.m.**

ENTER:

s/ Leon Jordan
United States District Judge